IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

SCOTT A. RIDGE KAREN L. RIDGE 9 James Hayward Road Glen Mills, PA 19342	Civil Action
v.	Case No. ____________
MCCABE, WEISBERG & CONWAY, P.C. 123 S. Broad Street, Suite 1400 Philadelphia, PA 19109	

COMPLAINT

I. INTRODUCTION

This is an action under Fair Debt Collection Practices Act, 15 U.S.C. § 1692 et. seq. ("FDCPA") pursuant to Defendant's failure to respond or otherwise provide verification of a disputed debt. Plaintiffs seek to recover damages, statutory damages, reasonable attorneys' fees and costs, and such other relief as the Court deems appropriate.

II. PARTIES

1. Plaintiffs are Scott A. Ridge and Karen L. Ridge, adult individual consumers, who reside at 9 James Hayward Road, Glen Mills, PA 19342.

2. Defendant McCabe, Weisberg & Conway, P.C., is a Pennsylvania professional corporation with a place of business at 123 S. Broad Street, Philadelphia, PA 19109.

III. JURISDICTION

3. Jurisdiction is provided for under the FDCPA, 15 U.S.C. § 1692k.

IV. FACTS

4. On December 27, 2016, Defendant sent a notice under the FDCPA to Plaintiffs. A true and correct copy of said notice is attached hereto as Exhibit "A."

5. The notice advised Plaintiffs of their right to dispute the debt or any portion thereof. See Exhibit "A."

6. The notice further provided that if Plaintiffs notified Defendant in writing within 30 days of the date Plaintiffs received the letter, Defendant would obtain verification of the debt and mail such verification to Plaintiffs. See Exhibit "A."

7. On January 20, 2017, well within 30 days of the date of the FDCPA notice, Plaintiffs sent a letter to Defendant specifically advising Defendant that this debt is formally disputed. A true and correct copy of the January 20, 2017 letter is attached hereto as Exhibit "B."

8. The January 20, 2017 debt dispute letter was sent via certified mail and signed for by Defendant on January 26, 2017. See Exhibit "B."

9. Despite receiving the debt dispute letter, Defendant failed to verify the debt or even respond in any manner to the Ridges' January 20, 2017 letter disputing the debt.

10. Defendant filed a mortgage foreclosure action in the Court of Common Pleas, Delaware County, on February 7, 2017, at docket no. 2017-1424 (the "Foreclosure Action"), without having responded to the debt dispute by Plaintiffs. A true and correct copy of the mortgage foreclosure complaint is attached hereto as Exhibit "C."

11. The Defendant's initiation of the Foreclosure Action constitutes a collection activity which activity is expressly prohibited until Defendant obtained verification of the debt and mailed such verification to the Plaintiffs.

12. The foreclosure matter is presently in the early stages of litigation, with preliminary objections pending. Nevertheless, the mere filing of the foreclosure suit has caused Plaintiffs harm to both their credit ratings, finances, and forced Plaintiffs to expend attorneys' fees.

13. To date, Defendant has not responded to the debt dispute and has not provided verification of the debt.

COUNT I
FAIR DEBT COLLECTION PRACTICES ACT

14. Plaintiffs incorporate the allegations above as though set forth at length herein.

15. Defendant is a "debt collector" as that term is defined in the FDCPA, 15 U.S.C. § 1692a(6).

16. The debt underlying the transaction is a mortgage on the Plaintiffs' principal residence and therefore is a "consumer debt" as defined in the FDCPA, 15 U.S.C. § 1692a(5).

17. Plaintiffs are "consumers" as defined in the FDCPA, 15 U.S.C. § 1692a(3).

18. The actions of Defendant violate the FDCPA, 15 U.S.C. § 1692g(b), which provides as follows:

> (b) Disputed debts
> If the consumer notifies the debt collector in writing within the thirty-day period described in subsection (a) of this section that the debt, or any portion thereof, is disputed, or that the consumer requests the name and address of the original creditor, the debt collector shall cease collection of the debt, or any disputed portion thereof, until the debt collector obtains verification of the debt or a copy of a judgment, or the name and address of the original creditor, and a copy of such verification or judgment, or name and address of the original creditor, is mailed to the consumer by the debt collector. Collection activities and communications that do not otherwise violate this subchapter may continue during the 30-day period referred to in subsection (a) of this section unless the consumer has notified the debt collector in writing that the debt, or any portion of the debt, is disputed or that the consumer requests

> the name and address of the original creditor. Any collection activities and communication during the 30-day period may not overshadow or be inconsistent with the disclosure of the consumer's right to dispute the debt or request the name and address of the original creditor.

15 U.S.C.A. § 1692g(b).

19. A debtor's collector's obligation under the Fair Debt Collection Practices Act (FDCPA) to "cease collection of a debt" if the debtor submits a written verification request **means that the debt collector cannot take action, like proceeding with foreclosure, that would result in the collection of the debt, until the debt collector has satisfied the prerequisites imposed by the Act.** *Townsend v. Federal Nat. Mortg. Ass'n*, W.D.Va.2013, 923 F.Supp.2d 828 (2013)(emphasis added).

20. Defendant's actions in failing to verify or even acknowledge the disputed debt and proceeding with filing a foreclosure complaint, have caused harm and significant damages to Plaintiffs, including harm to their reputation and credit rating, attorneys' fees and costs incurred in defending the foreclosure action, impairing title to their property, and other harm.

WHEREFORE, Plaintiffs seek judgment for:

(a) Damages;

(b) Statutory damages;

(c) Reasonable attorneys' fees and costs;

(d) Such other and further relief as the Court shall deem just and proper.

Respectfully submitted:

UNRUH, TURNER, BURKE & FREES, P.C.

Dated: February 22, 2017

/s/ Kristen Wetzel Ladd
John K. Fiorillo, Esquire
Kristen Wetzel Ladd, Esquire
Attorneys for Plaintiffs

Exhibit "A"

LAW OFFICES
McCABE, WEISBERG & CONWAY, P.C.
SUITE 1400
123 SOUTH BROAD STREET
PHILADELPHIA, PA 19109
(215) 790-1010
FAX (215) 790-1274

SUITE 210
145 HUGUENOT STREET
NEW ROCHELLE, NY 10801
(914)-636-8900
FAX (914) 636-8901

SUITE 201
216 HADDON AVENUE
WESTMONT, NJ 08108
(856) 858-7080
FAX (856) 858-7020

SUITE 2S09
1 HUNTINGTON QUADRANGLE
MELVILLE, NY 11747
(631) 812-4084
FAX: (855) 845-2584

SUITE 102
1407 FOULK ROAD
FOULKSTONE PLAZA
WILMINGTON, DE 19803
(302) 409-3520
FAX 855-425-1980

December 27, 2016

Scott Ridge
9 James Hayward Road
Glen Mills, Pennsylvania 19342

Loan Number ending in: **6995**
Property Address: **9 James Hayward Road, Glen Mills, Pennsylvania 19342**
Debtor: **Scott Ridge and Karen Ridge**

Dear Scott Ridge:

McCabe, Weisberg & Conway is a debt collector. We have been retained in connection with the debt identified in this notice. At this time, no attorney with this firm has personally reviewed the particular circumstances of your debt. However, we write to provide you with this **important information** concerning the debt.

IMPORTANT NOTICE - PLEASE READ THIS ENTIRE NOTICE CAREFULLY!

1. The amount of the debt is **$366,015.60** as of **December 23, 2016**. Be advised that additional interest, late charges, and other fees and charges (if applicable) will be added to the debt after this date.

2. The name of the creditor to whom the debt is owed is **The Bank of New York Mellon fka The Bank of New York, as Trustee for the Certificateholders of CWALT, Inc., Alternative Loan Trust 2005--8OCB, Mortgage Pass-through Certificates, Series 2005-80CB.**

3. UNLESS YOU DISPUTE THE DEBT, OR ANY PORTION OF THE DEBT, WITHIN THIRTY (30) DAYS OF THE DATE YOU RECEIVE THIS LETTER, WE WILL ASSUME THAT THE DEBT IS VALID.

4. IF YOU NOTIFY US IN WRITING, WITHIN THIRTY (30) DAYS OF THE DATE YOU RECEIVE THIS LETTER, THAT YOU DISPUTE THE DEBT, OR ANY PORTION OF THE DEBT, THEN WE WILL OBTAIN VERIFICATION OF THE DEBT, OR A COPY OF A JUDGMENT AGAINST YOU, AND MAIL SUCH VERIFICATION OR JUDGMENT TO YOU.

This is an attempt to collect a debt and any information obtained will be used for that purpose.

However, if you are currently in bankruptcy, or if you have been granted a bankruptcy discharge, this is not an attempt to collect a debt from you, nor is it an attempt to impose personal liability on you for the debt.

5. If the creditor named in paragraph 2 above is not the original creditor, then, IF YOU SEND A WRITTEN INQUIRY TO US WITHIN THIRTY (30) DAYS OF THE DATE YOU RECEIVE THIS LETTER, WE WILL PROVIDE YOU WITH THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR.

6. All correspondence to us should be addressed as follows: **McCABE, WEISBERG & CONWAY, P.C., 123 S. BROAD ST., SUITE 1400, PHILADELPHIA, PA 19109.**

7. THIS IS AN ATTEMPT TO COLLECT A DEBT, AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

8. Under state or other applicable law, including but not limited to bankruptcy law, you may have **additional rights** concerning this debt, and nothing in this notice limits or otherwise affects those separate rights. If you are currently in a bankruptcy, or if you have been granted a bankruptcy discharge, this is not an attempt to collect a debt from you, nor is it an attempt to impose personal liability on you for the debt.

Very truly yours,
McCabe, Weisberg & Conway, P.C.

Exhibit "B"

January 20, 2017

McCabe, Weisberg & Conway, P.C.
123 South Broad Street
Suite 1400
Philadelphia, PA 19109

Dear Sir or Madame,

I am in receipt of you letter dated December 27, 2017 and hereby wish to formally dispute the debt and request that you please do a recalculation on my account with loan number ending in 6995.

I reached out to Bank of America to request a reinstatement calculation at the end of December and plan to request a new one in two weeks.

Please note that we tried to catch up our outstanding balance by paying the statement from October and our payment was returned. I had hoped BofA would take the payment and that I could pay balance the first week of February. We wish to get this loan back in good standing, both my wife and I are in sales and our income is very commission driven.
Several significant deals of mine took longer to close than I expected and are finally in the process of being paid which will allow me to meet a reinstatement calculation very soon.

Our home is very important to us and we have every intention of correcting the current situation. I appreciate getting a recalculation on the debt and hope that your firm will help us to resolve this matter in manner that causes as little stress as possible for all parties involved.
We have found BofA to be helpful in the past, now that we are turning the corner of what was a difficult period in my business we hope that we can continue as a mortgage customer.

Sincerely,

Scott A. Ridge
9 James Hayward Road
Glen Mills, PA 19342

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- *Print your name and address on the reverse so that we can return the card to you.*
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

McCabe Weisberg & Conway
123 S. Broad St
Suite 1400
Phila. PA 19109

9590 9403 0240 5146 2417 09

2. Article Number (Transfer from service label)

7011 2000 0002 5494 8997

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature]
☐ Agent
☐ Addressee

B. Received by (Printed Name)
Cortes Brown

C. Date of Delivery
1/26/17

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
Delivery Restricted Delivery
il
Insured Mail Restricted Delivery (over $500)
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Return Receipt for Merchandise
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

3811, April 2015 PSN 7530-02-000-9053 Domestic Return Receipt

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)
For delivery information visit our website at www.usps.com®

PHILADELPHIA, PA 19109
OFFICIAL USE

Postage	$ $3.35	0063
Certified Fee	$2.75	08
Return Receipt Fee (Endorsement Required)	$0.00	Postmark
Restricted Delivery Fee (Endorsement Required)	$0.00	MEDIA, PA 19063-9998 JAN 23 2017 01/23/2017
Total Postage & Fees	$ $6.80	

Sent To McCabe Weisberg
Street, Apt. No.; or PO Box No. 123 S. Broad
City, State, ZIP+4 Phila

PS Form

7011 2000 0002 5494 8997

Exhibit "C"

Supreme Court of Pennsylvania

Court of Common Pleas
Civil Cover Sheet
Delaware County

For Prothonotary Use Only:

Docket No. 17-1424

2017 FEB -7 PM 12:00

The information collected on this form is used solely for court administration purposes. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or rules of court.

SECTION A

Commencement of Action:
☒ Complaint ☐ Writ of Summons ☐ Petition
☐ Transfer from Another Jurisdiction ☐ Declaration of Taking

Lead Plaintiff's Name: The Bank of New York Mellon f/k/a The Bank of New York as Trustee for the Certificateholders of CWALT, Inc., Alternative Loan Trust 2005-80CB, Mortgage Pass-Through Certificates, Series 2005-80CB

Lead Defendant's Name: Scott A. Ridge

Are there money damages requested? ☐ Yes ☒ No

Dollar Amount Requested: (check one) ☐ within arbitration limits ☐ outside arbitration limits

Is this a *Class Action Suit*? ☐ Yes ☒ No

Is this an *MDJ Appeal*? ☐ Yes ☒ No

Name of Plaintiff/Appellant's Attorney: McCabe, Weisberg & Conway, P.C.
☐ **Check here if you have no attorney (a Self-Represented [Pro Se] Litigant)**

SECTION B

Nature of the Case: Place an "X" to the left of the **ONE** case category that most accurately describes your ***PRIMARY CASE.*** If you are making more than one type of claim, check the one that you consider most important.

TORT (*do not include Mass Tort*)
☐ Intentional
☐ Malicious Prosecution
☐ Motor Vehicle
☐ Nuisance
☐ Premises Liability (*does not include mass tort*)
☐ Slander/Libel/ Defamation
☐ Other:

MASS TORT
☐ Asbestos
☐ Tobacco
☐ Toxic Tort - DES
☐ Toxic Tort - Implant
☐ Toxic Waste
☐ Other:

PROFESSIONAL LIABILITY
☐ Dental
☐ Legal
☐ Medical
☐ Other Professional:

CONTRACT (*do not include Judgments*)
☐ Buyer Plaintiff
☐ Debt Collection: Credit Card
☐ Debt Collection: Other

☐ Employment Dispute: Discrimination
☐ Employment Dispute: Other

☐ Other

REAL PROPERTY
☐ Ejectment
☐ Eminent Domain/Condemnation
☐ Ground Rent
☐ Landlord/Tenant Dispute
☒ Mortgage Foreclosure: Residential
☐ Mortgage Foreclosure: Commercial
☐ Partition
☐ Quiet Title
☐ Other:

CIVIL APPEALS
Administrative Agencies
☐ Board of Assessment
☐ Board of Elections
☐ Department of Transportation
☐ Statutory Appeal: Other

☐ Zoning Board
☐ Other

MISCELLANEOUS
☐ Common Law/Statutory Arbitration
☐ Declaratory Judgment
☐ Mandamus
☐ Non-Domestic Relations Restraining Order
☐ Quo Warranto
☐ Replevin
☐ Other:

CIVIL COVER SHEET AND ENTRY OF APPEARANCE

DELAWARE COUNTY COURT OF COMMON PLEAS

1. Case Caption

Court Term & No.

The Bank of New York Mellon f/k/a The Bank of New York as Trustee for the Certificateholders of CWALT, Inc., Alternative Loan Trust 2005-80CB, Mortgage Pass-Through Certificates, Series 2005-80CB

v.

Scott A. Ridge and Karen L. Ridge a/k/a Karen Ridge

2a. Plaintiff(s)

The Bank of New York Mellon f/k/a The Bank of New York as Trustee for the Certificateholders of CWALT, Inc., Alternative Loan Trust 2005-80CB, Mortgage Pass-Through Certificates, Series 2005-80CB
101 North Tryon Street
Charlotte, NC 28246

2b. Defendant(s)

Scott A. Ridge
9 James Hayward Road
Glen Mills, Pennsylvania 19342

Karen L. Ridge a/k/a Karen Ridge
9 James Hayward Road
Glen Mills, Pennsylvania 19342

3a. Related Cases? ____Yes __X__No

3b. Case Subject to Coordination Order? ____Yes __X__No
If yes, show Caption and Date of Order

4. Entry of Appearance

To the Office of Judicial Support:
Kindly enter my appearance on behalf of The Bank of New York Mellon f/k/a The Bank of New York as Trustee for the Certificateholders of CWALT, Inc., Alternative Loan Trust 2005-80CB, Mortgage Pass-Through Certificates, Series 2005-80CB, (a) plaintiff in this action. Papers may be served at the address sent forth below.

Terrence J. McCabe, Esq., Edward D. Conway, Esq., Margaret Gairo, Esq., Andrew L. Markowitz, Esq., Heidi R. Spivak, Esq., Marisa J. Cohen, Esq., Christine L. Graham, Esq., Brian T. LaManna, Esq., Ann E. Swartz, Esq., Joseph F. Riga, Esq., Joseph I. Foley, Esq., Celine P. DerKrikorian, Esq., Lena Kravets, Esq., Jacob M. Ottley, Esq.
Attorney for party named above (Please Print)

Address: 123 South Broad Street, #1400
Philadelphia, PA 19109

TJM #16496, EDC #34687, MG #34419, ALM #28009, HRS #74770, MJC #87830, CLG #309480, BTL #310321, AES #201926, JFR #57716, JIF #314675, CPD #313673, LK # 316421, JMO #319404
Attorney I.D. Number

Telephone: (215) 790-1010 Fax: (215) 790-1274
E-Mail: ______

[signature]
Attorney Signature

2/2/17
Date

Choose only the one description which best reflects the principal type of case or relief sought from the list.

Case Description

APPEAL

Minor Court
- Money Judgement ____
- Landlord and Tenant ____
- Code Enforcement ____
- Personal Injury ____
- Breach of Contract ____
- Other ________ ____

Local Agency
- Civil Service ____
- Motor Vehicle ____
- Licenses and Inspections ____
- Liquor Control Board ____
- Tax Assessment Boards ____
- Zoning Board ____
- Other ________ ____

Proceedings Commenced by Petition
- Appointment of Arbitrators ____
- Change of Name ____
- Compel Medical Examination ____
- Election Matters ____
- Eminent Domain ____
- Leave to Issue Subpoena ____
- Mental Health Proceedings ____
- Other ________ ____

ACTIONS COMMENCED BY WRIT OF SUMMONS OR COMPLAINT
- Abuse of Process ____
- Action for Wrongful Death ____
- Class Action ____
- Confession of Judgement/Money ____
- Confession of Judgement/ Real Property ____
- Contract ____
- Construction ____
- Insurance/Bad Faith ____
- Negotiable Instruments ____
- Other ________ ____

Intentional Tort ____
- Assault and Battery ____
- Libel and Slander ____
- Defamation ____

Employment/Wrongful Discharge ____
- False Imprisonment ____
- Fraud ____
- Malicious Prosecution ____

Negligence
- Motor Vehicle ____
- Real Property ____
- Premises Liability ____
- Product Liability ____
- Toxic Tort ____
- Asbestos ____
  - DES ____
  - Implant ____
  - Toxic Waste ____
  - Other ________ ____

Professional Malpractice
- Dental ____
- Legal ____
- Medical ____
- Other ________ ____

Equity
- Real Property ____
- Stockholders Derivative Action ____
- Waste Prevention ____
- Other ________ ____

Declaratory Judgement ____

Ground Rent ____

Mandamus ____

Real Property
- Ejectment ____
- Quiet Title ____
- Mortgage Foreclosure _X_
- Mechanics Lien ____
- Partition ____
- Prevent Waste ____

Replevin ____

Saving Action Um/Uim ____

Quo Warranto ____

Other ________ ____

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Lawyers Reference Service
Delaware County Bar Association
Front and Lemon Streets
Media, Pennsylvania 19063
(610) 566-6625

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas ex-puestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

USTED LE DEBE TOMAR ESTE PAPEL A SU ABOGADO INMEDIATAMENTE. SI USTED NO TIENE A UN ABOGADO, VA A O TELEFONEA LA OFICINA EXPUSO ABAJO. ESTA OFICINA LO PUEDE PROPORCIONAR CON INFORMATION ACERCA DE EMPLEAR A UN ABOGADO.

SI USTED NO PUEDE PROPORCIONAR PARA EMPLEAR UN ABOGADO, ESTA OFICINA PUEDE SER CAPAZ DE PROPORCIONARLO CON INFORMACION ACERCA DE LAS AGENCIAS QUE PUEDEN OFRECER LOS SERVICIOS LEGALES A PERSONAS ELEGIBLES EN UN HONORARIO REDUCIDO NI NINGUN HONORARIO.

Lawyers Reference Service
Delaware County Bar Association
Front and Lemon Streets
Media, Pennsylvania 19063
(610) 566-6625

McCABE, WEISBERG & CONWAY, P.C. Attorneys for Plaintiff
BY: TERRENCE J. McCABE, ESQUIRE - ID # 16496
EDWARD D. CONWAY, ESQUIRE - ID # 34687
MARGARET GAIRO, ESQUIRE - ID # 34419
ANDREW L. MARKOWITZ, ESQUIRE - ID # 28009
HEIDI R. SPIVAK, ESQUIRE - ID # 74770
MARISA J. COHEN, ESQUIRE - ID # 87830
CHRISTINE L. GRAHAM, ESQUIRE - ID # 309480
BRIAN T. LAMANNA, ESQUIRE - ID # 310321
ANN E. SWARTZ, ESQUIRE - ID # 201926
JOSEPH F. RIGA, ESQUIRE - ID # 57716
JOSEPH I. FOLEY, ESQUIRE - ID # 314675
CELINE P. DERKRIKORIAN, ESQUIRE - ID # 313673
LENA KRAVETS, ESQUIRE - ID # 316421
JACOB M. OTTLEY, ESQUIRE - ID # 319404
123 South Broad Street, Suite 1400
Philadelphia, Pennsylvania 19109
(215) 790-1010

The Bank of New York Mellon f/k/a The Bank of New York as Trustee for the Certificateholders of CWALT, Inc., Alternative Loan Trust 2005-80CB, Mortgage Pass-Through Certificates, Series 2005-80CB 101 North Tryon Street Charlotte, NC 28246 v. Scott A. Ridge 9 James Hayward Road Glen Mills, PA 19342 and Karen L. Ridge a/k/a Karen Ridge 9 James Hayward Road Glen Mills, PA 19342	Delaware County Court of Common Pleas Number 17-1424

COMPLAINT IN MORTGAGE FORECLOSURE

Exhibit A

[COURT SEAL OR SHERIFF'S SEAL OR BOTH]

Important Notice

Date of Service of this Notice:_______________________________________
(to be completed by the Sheriff's Deputy upon Service of Complaint)

Under a new Pilot Program sponsored by the Court of Common Pleas of Delaware County and the Sheriff of Delaware County, you may be eligible to get help with your Mortgage.

Call the Save Your Home Hotline at 800-989-2227

To be eligible for any stay, you must be the owner or an heir to a deceased owner of the property which is the subject of the Action of Mortgage Foreclosure and you must occupy the property which is the subject of this Action of Mortgage Foreclosure as your principal residence.

You will discuss your mortgage foreclosure with an independent and professional Housing Counselor who will work with you to review your finances and work with your lender to try and resolve the mortgage foreclosure action. The Housing Counselor is available to you AT NO CHARGE. Once you call this number, the Housing Counselor will contact the lender's attorney and the Court sanctioned thirty (30) day delay of the Action in Mortgage Foreclosure will go into effect, all you have do is call.

You can have the Action of Mortgage Foreclosure delayed for up to thirty (30) days so that you can participate in a conference with your Housing Counselor and submit a loan resolution proposal to the lender and their attorney.

Call the Save Your Home Hotline at 800-989-2227

Make this call today to save your home. If you do not call within thirty (30) days from the day this notice has been served on you or a member of your household by the Sheriff, you may not be eligible for this program, but you may have other legal ways to delay the foreclosure action.

Copy Prohibited

IF YOU DECIDE TO USE THE SERVICES OF THE HOUSING COUNSELOR MADE AVAILABLE BY THIS PROGRAM, YOU SHOULD NOTE THAT THE SOLE PURPOSE OF THIS PROGRAM IS TO PROVIDE INFORMATION AND ASSISTANCE IN YOUR DESIRE TO MAKE ARRANGEMENTS WITH YOUR LENDER FOR THE MUTUAL RESOLUTION OF YOUR INDEBTEDNESS. THIS IS A PUBLIC SERVICE PROGRAM AND IS NOT IN ANY WAY A PROGRAM TO PROVIDE YOU WITH LEGAL ADVICE OR LEGAL SERVICES OF ANY KIND. NEITHER THE HOUSING COUNSELOR NOR ANY PERSON OR ENTITY ASSOCIATED WITH THE PROGRAM IS PROVIDING OR WILL PROVIDE YOU WITH ANY INFORMATION OR ADVICE CONCERNING ANY LEGAL REMEDIES, LEGAL PROCEDURES, OBJECTIONS OR DEFENSES TO THE CLAIM AGAINST YOU. THE PROGRAM AND ANY PERSON OR ENTITY ASSOCIATED WITH IT DOES NOT AND WILL NOT PROVIDE YOU WITH ANY ATTORNEY OR LEGAL REPRESENTATION OF ANY KIND.

2017 FEB -7 PM 12:00

COMPLAINT IN MORTGAGE FORECLOSURE

1. Plaintiff is The Bank of New York Mellon f/k/a The Bank of New York as Trustee for the Certificateholders of CWALT, Inc., Alternative Loan Trust 2005-80CB, Mortgage Pass-Through Certificates, Series 2005-80CB.

2. The Defendant is Scott A. Ridge, who is a mortgagor and real owner of the mortgaged property hereinafter described, and his/her last-known address is 9 James Hayward Road, Glen Mills, PA 19342.

3. The Defendant is Karen L. Ridge a/k/a Karen Ridge, who is a mortgagor and real owner of the mortgaged property hereinafter described, and his/her last-known address is 9 James Hayward Road, Glen Mills, PA 19342.

4. On November 3, 2005, Scott A. Ridge and Karen L. Ridge a/k/a Karen Ridge, made, executed and delivered a Mortgage upon the premises hereinafter described to Mortgage Electronic Registration Systems, Inc., as nominee for Philadelphia Financial Mortgage a division of Leesport Bank, its successors and assigns which Mortgage is recorded in the Office of the Recorder of Delaware County in Mortgage Book 03655, Page 2215 ("the Mortgage"), the Mortgage is incorporated herein by reference pursuant to Pa.R.C.P. 1019(g).

5. On November 3, 2005, Scott A. Ridge and Karen L. Ridge a/k/a Karen Ridge, also executed a promissory note secured by the Mortgage ("the Note"). Plaintiff, directly or through an agent, is in possession of the Note and is the holder of the Note with the right to enforce it; the Note is either made payable to plaintiff or has been duly indorsed.

6. The mortgage loan was modified by a loan modification agreement executed on September 26, 2009 ("the Modification Agreement"). A true and correct copy of the Modification

Agreement is attached hereto as Exhibit "A". Defendant, Scott A. Ridge and Karen L. Ridge a/k/a Karen Ridge, defaulted on the terms of the Loan Modification Agreement.

7. The mortgage loan was modified by a loan modification agreement effective June 1, 2015 ("the Modification Agreement"). A true and correct copy of the Modification Agreement is attached hereto as Exhibit "B". Defendant, Scott A. Ridge and Karen L. Ridge a/k/a Karen Ridge, defaulted on the terms of the Loan Modification Agreement.

8. On February 9, 2015, the Mortgage was assigned by Mortgage Electronic Registration Systems, Inc., as nominee for Philadelphia Financial Mortgage a division of Leesport Bank, its successors and assigns to The Bank of New York Mellon f/k/a The Bank of New York as Trustee for the Certificateholders of CWALT, Inc., Alternative Loan Trust 2005-80CB, Mortgage Pass-Through Certificates, Series 2005-80CB, by assignment of mortgage, recorded in the Office of the Recorder of Delaware County in Mortgage Book 05607, Page 0209, said assignment of mortgage is incorporated herein by reference pursuant to Pa.R.C.P. 1019(g).

9. The premises subject to the Mortgage is described in the legal description attached as Exhibit "C" and is known as 9 James Hayward Road, Glen Mills, Pennsylvania 19342.

10. The Mortgage is in default because monthly payments of principal and interest upon the Mortgage due August 1, 2016 and each month thereafter are due and unpaid, and by the terms of the Mortgage, upon default in such payments for a period of one month, the entire principal balance and all interest due thereon are collectible forthwith.

11. The following amounts are due on the Mortgage as of December 13, 2016:

Principal Balance	$	350,651.41
Interest from July 1, 2016 through December 13, 2016 (Plus $61.0765 per diem thereafter)	$	10,047.12
Escrow Advance	$	6,524.43
Property Inspections	$	105.00
Partial/Suspense	$	(30.00)
Escrow Balance	$	(2,321.62)
GRAND TOTAL	$	364,976.34

12. Plaintiff complied with all notice requirements as prescribed by 41 P.S. §101, et seq. (Act 6), and 35 P.S. 1680.401c, et seq. (Act 91), as applicable. Copies of said notices are attached hereto as Exhibit "D".

WHEREFORE, Plaintiff demands in rem Judgment against the Defendants in the sum of $364,976.34, together with interest accruing thereafter; other costs and charges collectible under the Mortgage and applicable law, including all reasonable and actually incurred attorney's fees and costs; and the foreclosure and sale of the mortgaged property.

McCABE, WEISBERG & CONWAY, P.C.

BY:______________________________

[ ] Terrence J. McCabe, Esquire
[ ] Margaret Gairo, Esquire
[ ] Heidi R. Spivak, Esquire
[ ] Christine L. Graham, Esquire
[ ] Ann E. Swartz, Esquire
[ ] Joseph I. Foley, Esquire
[ ] Lena Kravets, Esquire
[ ] Edward D. Conway, Esquire
[ ] Andrew L. Markowitz, Esquire
[ ] Marisa J. Cohen, Esquire
[ ] Brian T. LaManna, Esquire
[ ] Joseph F. Riga, Esquire
[ ] Celine P. DerKrikorian, Esquire
[✓] Jacob M. Ottley, Esquire

Attorneys for Plaintiff

VERIFICATION

The undersigned, Siddhartha Larsiquot, does hereby certify that he/she is Assistant Vice President of Bank of America, N.A. and that Bank of America, N.A. has been duly nominated and appointed by The Bank of New York Mellon f/k/a The Bank of New York as Trustee for the Certificateholders of CWALT, Inc., Alternative Loan Trust 2005-80CB, Mortgage Pass-Through Certificates, Series 2005-80CB, plaintiff herein, as its mortgage servicing agent in regard to the mortgage loan which is the subject of this action (the "Mortgage"). The Bank of New York Mellon f/k/a The Bank of New York as Trustee for the Certificateholders of CWALT, Inc., Alternative Loan Trust 2005-80CB, Mortgage Pass-Through Certificates, Series 2005-80CB lacks sufficient information to make this verification because Plaintiff is not the entity that maintains the business records for the Mortgage. Bank of America, N.A. maintains the business records for the Mortgage, and therefore does have sufficient information to make this verification in accordance with Pa.R.C.P. 1024(c)(1).

I am authorized to make this Verification on Plaintiff's behalf and do hereby verify that the facts as set forth in the foregoing Complaint are true and correct to the best of my information and belief. I have access to and have reviewed the business records of Bank of America, N.A. for and relating to the Mortgage, and I make this Verification based on my review of those records, which are maintained by Bank of America, N.A., in the course of its regularly conducted business activities and are made at or near the time of the event, by or from information transmitted by a person with knowledge.

I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

Dated: 1/27/17

By: [signature] 1/27/17

Name: Siddhartha Larsiquot
Bank of America, N.A.
Assistant Vice President

Name: The Bank of New York Mellon f/k/a The Bank of New York as Trustee for the Certificateholders of CWALT, Inc., Alternative Loan Trust 2005-80CB, Mortgage Pass-Through Certificates, Series 2005-80CB v. Scott A. Ridge and Karen L. Ridge a/k/a Karen Ridge
Loan Number ending with: 6995